



10205.030  
PATENT

2648  
J.D.  
3-17-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Examining Group: 2644  
Harrow et al. : Examiner: R.P. Singh  
Serial No.: 09/803,551 : Date: March 3, 2003  
Filed: March 9, 2001 :  
For: Transmit/Receive Arbitrator

RECEIVED  
MAR 11 2003  
Technology Center 2600

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED  
WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN  
AN ENVELOPE ADDRESSED TO:

COMMISSIONER OF PATENTS AND TRADEMARKS

BOX Non-Fee Amendment

WASHINGTON, D.C. 20231, ON: MARCH 3, 2003

Date of Deposit

Paul F. Wille

03.03.03

Signature

Date

RESPONSE

Honorable Commissioner of Patents and Trademarks,  
Washington, D.C. 20231

SIR:

In response to the Office Action dated February 26, 2003, applicants hereby  
elect without traverse the invention defined by claims 1-6 for further prosecution.

Although phrased as an election requirement, the Office Action is being  
interpreted as a restriction requirement. Species are related inventions, such as  
alternative methods for producing the same result; sometimes represented as ABC<sub>1</sub>  
and ABC<sub>2</sub>. The question is whether the combination ABC (i.e. a generic claim) is  
allowable. That is not the situation here. Claims 7 and 8 recite apparatus that can be  
used to implement claims 1-6 but not the only apparatus. The apparatus claims  
could be represented as clauses DEF. There is no genus/species or combination/

subcombination relationship because the function performed by the apparatus recited in claims 7 and 8 is not recited in claims 1-6.

It is respectfully requested that the restriction be repeated and made final.

It is respectfully requested that an early and favorable examination be made of claims 1-6.

Respectfully submitted,



Paul F. Wille

Reg. No. 25,274

Attorney for Applicant

6407 East Clinton Street  
Scottsdale, AZ 85254  
tel.: 602 549-9088  
fax.: 480 778-0304